

THE RUTLAND HERALD.

ters of Maine on Thursday last. The correspondence here follows—

Sir John Harvey's Letter to Governor Fairfield.

GOVERNOR'S HOUSE, Y.

FREDERICKSBURG, N. B., Feb. 18, 1839.

Sir—I have the honor to acknowledge the receipt by the hands of the Hon. Mr. Rogers, of your Excellency's letter of the 15th inst., Mr. McIntire, and the gentlemen with him have been subjected to an examination before Her Majesty's Attorney General of this Province, who has reported to me that the offence of which they stand charged is one rather against the Laws of Nations, and of Treaties, than against those of this Province. They must accordingly be regarded as "State offenders." In this view the disposal rests exclusively with Her Majesty's Government, to which I shall accordingly report the case—in the mean time, I have had the pleasure in directing that they shall immediately be allowed to return to the state of Maine, upon pledging their parole of honour to present themselves to the Government of this Province, whenever Her Majesty's decision may be rendered, or when required to be so. The high respectability of their characters and situation, and my desire to act in all matters relating to the disputed Territory in such a manner as may evince the most forbearance consistent with the fulfilment of my instructions, have induced me, in my conduct towards these gentlemen—but it is necessary that I should upon this occasion distinctly state to your Excellency—that the friendly relations between Great Britain and the United States, should not be disturbed; it is indispensable that the armed force from that State now understand to be within the Territory, in dispute, be immediately withdrawn, as otherwise I have no alternative but to take military occupation of that Territory, with a view to protect Her Majesty's subjects, and to support the Civil Authorities in apprehending all persons claiming to exercise jurisdiction within it.

2. That it is my duty to require that all persons, subjects of Her Majesty, who may have been arrested in the commission of acts of trespass within the disputed Territory, be given up to the tribunals of this Province, to be tried according to law.

3. That in the event of the rumor which has just reached me relative to the arrest, detention, or intercession of James McLaughlin, Esq. the Warden of the disputed Territory being correct, that that officer be enlarged, and the grounds of his detention be explained. Mr. Rogers takes charge of this letter, of which a duplicate will be placed in the hands of the Hon. Mr. McIntire, with both of whom I have conversed, and communicated to them my views in regard to the actual position in which I shall be placed, and the measures which will be forced upon me, if the several demands contained in this letter be not complied with—and I have reason to believe that Mr. McIntire leaves me fully impressed with the anxious desire which I feel to spare the necessity of acting as the letter of my instructions would both warrant and prescribe.

With regard to trespasses upon the lands of the disputed Territory, I beg to assure you that the extent to which these trespasses appear to have been carried, as taught to my knowledge by recent occurrences, will lead me to adopt, without any delay, the strongest and most effectual measures which may be in my power for putting a stop to and preventing a recurrence of such trespasses.

I have the honor to be,
Your Excellency's obt servt,

JOHN HARVEY,
Maj. General, Lt. Governor, &c.

Governor Fairfield's reply to Sir John Harvey.
Lt. Governor of New Brunswick.

Sir: I have the honor to acknowledge the receipt of your Excellency's communication of the 18th inst., by the hand of Col. J. P. Rogers.

To your demand for the discharge of the persons arrested by the authorities of this State for being engaged in acts of trespass upon the public lands of this State I have to say, that the persons named are now in the custody of the law. With that custody I have neither the disposition nor the authority to interfere.

In regard to James McLaughlin, Esq., Provincial Land Agent, and Mr. Tibbets, his assistant, I have advised that they be released upon the same terms which the Hon. Rufus McIntire and his assistant were released, to wit, upon their Parole of Honor, to return to Bangor whenever they should be thereto required by the Executive Government of this State, to answer to any charges that may be brought against them for their acts and proceedings upon what your Excellency is pleased to call the "disputed Territory."

For a reply to the remainder of your Excellency's communication, I must refer you to my letter of the 18th inst., which you will receive by the hand of R. English, Esq.

I have the honor to be,
Your Excellency's obt servt,

JOHN FAIRFIELD,
Governor of Maine.

The Solicitor General's Letter to Mr. Jarris.
At the mouth of the Aroostook River, St. John—
Province of New Brunswick, 17th February, 1839.

Sir—I am directed by His Excellency Major General Sir John Harvey, Lt. Governor and Commander-in-Chief of this Province, to express to you his great surprise at the extraordinary occurrence of an armed force of the description now with you, having entered upon the disputed territory, so called, and attempted to exercise a jurisdiction there foreign to the British Government, seizing upon and mistreating British subjects, and retaining many of them prisoners, without having in the first instance given any notice or made any communication whatever to the Government authorities of this Province of your intentions, or the causes which have led to these acts of aggression. If you are acting under any authority from your own Government, the proceedings are still more unjustifiable, being in direct defiance and breach of the existing treaties between the central Government of the United States and England. If you have not any such authority you and those with you, have placed yourselves in a situation to be treated by both Governments as persons rebelling against the laws of either country—but be that as it may, I am directed by His Excellency to give you notice that unless you remove with the forces you have with you from any part of the Disputed Territory, so called, and discharge all British subjects whom you have taken prisoners, and at once cease attempting to exercise any authority in the said territory not authorized by the British Government, every person of your party, that can be found or laid hold of, will be taken by the British authorities in this Province, and detained prisoners in accordance with this order.

This paper states that it was the understanding of Great Britain that she should exercise jurisdiction over the territory in dispute, until the dispute was adjusted, and that the United States, on the contrary, understood that by the agreement, neither party was to maintain jurisdiction. That this incidental question can only be settled by a discussion between the United States and Great Britain, and that, when the main question is settled by a discussion between the United States and Great Britain, as it probably soon will be, there can be no difficulty about this incidental question.

In the mean time, they recommend that the Governor of New Brunswick desist from his avowed purpose of expelling the forces of the State of Maine from the territory; that Maine shall, as soon as may be withdraw her troops; and that, in future, neither party shall exercise exclusive jurisdiction over the territory, until the question be settled; and that for the expulsion of trespassers and the prevention of timber, &c., arrangements be made jointly by the governments of New Brunswick and Maine.

Mr. Evans, after the reading of the message, rose and expressed his apprehension that these sudden dispositions had come quite too late, to prevent a collision of arms between Maine and New Brunswick. He could not restrain the conviction in his breast, however much they may be depressed, had actually taken place. Little doubt is entertained that it was the work of an incendiary, and we understand that suspicion fastens very strongly upon a certain loyal volunteer who was seen lurking this side the line about that time. But where were the sentinels? asleep? or

From the Bangor, (Maine) Whig Extra.

Saturday, 5 o'clock, P. M.

A company of Cavalry, consisting of 48 men, have just arrived in this city from Waldo county. We have just seen a gentleman who left the Arsenal on Thursday. The volunteers have erected a fort of logs, and have five brass field pieces mounted. They were all in high spirits. The Waldo volunteers, the Penobscot volunteers, and the Brewer volunteers arrived at No. 4, about 30 miles this side of the camp on Thursday night. The Bangor Artillery and Dexter Artillery arrived at Lincoln on Friday night, and the Dexter Hill corps were about five miles this side of Lincoln on Saturday morning.

The 23d Congress, must have terminated its business on Saturday or Sunday last, and we are glad to see the end of it. The session has been marked with too much violence and ill blood to be of much use or honor to the nation. It is a matter of serious inquiry, whether a seat now in our national councils adds to a man's reputation and honor, or diminishes it.

A kind of *Protocol or Memoranda* has been executed and published, of rather a pacific character, between Mr. Fox, the British Minister at Washington, and Mr. Foster, our Secretary of State, in relation to the Boundary Dispute. But this important Document and the President's Message of the 26th on this subject, we regret, both came too late for this week's paper.

I am, sir, your obedient servant,

GEO. FRED. STREET,
Solicitor General of the Province.

Mr. Jarris' reply to the Solicitor General of New Brunswick.
Confidence of the St. Croix stream, Aroostook River, Township No. 10, State of Maine, Feb. 12.

Sir.—Your communication of the 17th last, has been this moment received. The Solicitor General of the Province must have been misinformed as to the place where the force under my direction is now located, or he would have been aware of the impropriety of addressing such a communication to me, citizen of Maine, and of the North American confederacy of the United States.

It is also to be hoped for the honor of the British Empire, that when Major General Sir John Harvey, Lt. Governor and Commander-in-Chief of the Forces of New Brunswick, is made acquainted with the State of Maine, and the two other gentlemen, with him, were lately arrested, by a lawless mob, which will direct their immediate discharge and bring the offenders to justice.

The place to which you allude, and the person in company with him were arrested for serving a precept on a citizen of Maine. He was sent on immediately to Augusta, the seat of Government, to be dealt with by the authorities of the State. Their persons are not, therefore in my power, and applications for their discharge must be made to the government of the State.

It, moreover, I have been in error as to your being under a mistake as to the place where I am now situated, on land which was run out into townships by the State before some was separated from Massachusetts, and which has therefore been under the jurisdiction of Maine since she has taken her rank among the independent States of the North American Union. As, a citizen of Maine, in official capacity, I have but one answer to return to the threat conveyed—I am bound to obey the direction of the Executive of the State and must remain until otherwise ordered by the only authority recognized by me, and deeply as I should regret a conflict between our respective countries, I shall consider the approach to my station, by an armed force, as an act of hostility, which will be met by me to the best of my ability. Your most obt servt

CHARLES DAVIS, Land Agent.

The draft of 10,000 men from the 3d Division has been made with great despatch; the troops arrived promptly at the place of rendezvous at the time appointed, in good spirits.

It is rumored that Governor Everett has written to Gov. Fairchild, making an offer of 10,000 men to be on their march in a week, and money it wanted.

The Bangor Whig of Friday says—"The fire department of this city, embracing about three hundred young men, have formed themselves into a battalion of Riflemen, and petitioned the legislature for a supply of arms.

Mr. McLaughlin, the British Land Agent refused to comply with the conditions imposed upon him for his release, and remained a prisoner at the last accounts—*Boston Courier.*

Correspondence of the Jour. of Commerce.

Washington, Tuesday, Feb. 26.

Maine and New Brunswick.

The President communicated a message to both Houses of Congress to day, upon the Maine boundary difficulties.

The Message was read, in the House, and commanded deep attention. Its tone, as was to be expected from the President, is moderate, pacific, firm, and dignified. There is nothing in it of a menacing or gaudy character, and it is equally free from the reproach of tameness.

He states the opinion that Great Britain has no right to exclusive jurisdiction over the territory in dispute, and he distinctly declares that, in case such jurisdiction should be asserted, he would interfere the national arm in aid of the State of Maine. But he does not comply with the request of Gov. Fairchild to interpose at the present time.

The message was accompanied by sundry documents, a correspondence between Mr. Fox, the British minister, and Mr. Forsyth; and between Mr. Fairchild and Sir John Harvey.

Maine and the Message.

In the Senate, the Message received from the President excited great interest.

Correspondence of the Journal of Commerce.

Washington, Feb. 26th.

The Maine War—Another Peace Message.—A Message was received at a late hour to-day, from the President of the United States, on the subject of the difficulties between Maine and New Brunswick. It was not read in the House, till six o'clock.

The President transmits a copy of a memorandum signed, this day, by Mr. Fox, (the British Minister) and by Mr. Forsyth, (Secretary of State,) which is in the nature of a recommendation, to the border belligerents, and by which, the President says, hostilities may be avoided between them, consistently with their respective claims.

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Investigation Committee.

Mr. Harlan, from the majority of the Select Investigation Committee, made his report this morning, and moved the reading of some portions of it. It would take the whole of the remainder of the session to read the entire report. Mr. Peterson demanded the reading of the whole report, on the ground that he wanted no garbled account of the proceedings. The matter was compromised, by a withdrawal of both motions for reading.

Mr. Owens, from the minority of the Committee, made a separate report.

Twenty thousand copies of each Report, with the Journal of the Committee, and five thousand, without the Journal, were ordered to be printed.

Maine Boundary.

A message from the President was received and read in the Senate, the same alluded to in the House.

The message and papers were referred to the Committee on Foreign Relations, and

On motion of Mr. Foster, 5000 extra copies were ordered to be printed.

About 10 o'clock the Senate adjourned.

Cleveland, Feb. 19.

Outrages in Canada.—Our Canadian neighbors do not behave decent at all times. A valuable sheep, used as a freight and passage craft between Toronto and St. Catharines, has been set on fire by some miscreant, and destroyed. The sheep was lying at St. Catharines, and was lost last winter as a gunboat.

An affray recently came off at Cornwall, U. C., in which fixed bayonets were used, and shots fired. A sergeant of the 3d Provisional Battalion was killed.

Colonel Prince has also been cutting up antics in Sandwich, troubling citizens, and fighting a duel. For shame, ye John Bull's!—*Herold.*

Virginia.—The Legislature of Virginia, after laboring several days in unsuccessful attempts to elect a Senator to Congress as successor to Mr. Rives, whose term of service expires on the 4th of March, have postponed the subject indefinitely. Of course the choice will devolve on the next Legislature. The election of members takes place in April.—*Jour. Com.*

Elections.—The election in New Hampshire for Governor, members of Congress, and members of the Legislature, took place on the 12th inst. In Connecticut, on the 1st Monday in April. In Virginia also in April. In all these States members of Congress are to be chosen.

The Rev. Dr. Fisk, President of the Wesleyan University, died at Middletown, Conn., on Friday last.

The Montreal Courier of Wednesday says that Madam Tasche has been liberated on bail.

The Montreal Herald informs us that 137 persons at Fort Henry, and 43 at London, have recently been sentenced to death by court martial. The time and place of execution is left discretionary with the Governor.

Capt. Marryat, the well-known author of the naval novels, has accepted the command of the Brazilian navy, vice Capt. S. Grenfell, resigned.

* Our shrewd old friend Purdy, of the Boston Daily Times, charges the editor of the Middlebury People's Press with neglecting to give credit for articles copied from that paper. The Middlebury editor, with his usual frankness, pleads guilty and stoutly excuses himself by suggesting that, if he should do the Times editor justice in this particular, his readers would all be for taking the Times instead of the People's Press! Brother P. we doubt not, will be satisfied with this courteous apology, and reciprocate the high compliment to balance.

Plattsburgh, Feb. 23.

Army Movements.—Col. Pierce returned from visiting the posts, on Thursday last, and we learn that the following disposition of the U. S. Troops has been made by order of Gen. Scott, viz:

Capt. Taylor's company, (at Albion Springs,) to return to Head Quarters, at Plattsburgh. Capt. Dimick to repair to Alburgh City and muster out of service Capt. Harrington's company of Riflemen, (militia) Capt. Porter, [from Swanton] to occupy the post at Alburgh Springs. Lieut. Regeve to be stationed at Col. Motte's, on the Green Wood road. A guard to be placed at Mr. Lyman's near the line in the vicinity of Mr. Voshburgh's house, where the late outrage was committed. These orders have been carried into effect.

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